

## AMENDMENTS TO THE CLAIMS

1. (Withdrawn) A polyester comprising at least one pendant and/or terminal group which can be activated with actinic radiation, comprising the reaction product of at least one of

1. a polyester (i) containing at least one of a pendant and/or terminal hydroxyl group reacted with at least one of carboxylic acid (i) and one ester (i) of a carboxylic acid (i) each containing at least one bond which can be activated with actinic radiation, and

2. a polyester (ii) containing at least one of a pendant and/or terminal carboxylic acid group and a pendant and/or terminal carboxylic ester group reacted with at least one hydroxyl-containing compound (ii) containing at least one bond which can be activated with actinic radiation

in the presence of at least one of an organism and an enzyme which catalyzes the transesterification or esterification.

2.-6. (Canceled)

7. (Withdrawn) The polyester as claimed in claim 1, wherein the organisms are selected from the group consisting of naturally occurring microorganisms, genetically modified microorganisms, single-cell life forms and cells which comprise at least one enzyme which catalyzes the transesterification or esterification.

8. (Withdrawn) The polyester as claimed in claim 7, wherein the organisms are selected from the group consisting of *Achromobacter* sp., *Aspergillus* sp., *Burkholderia* sp., *Candida* sp., *Mucor* sp., *Penicillium* sp., *Pseudomonas* sp., *Rhizopus* sp., *Thermomyces* sp., and cells from porcine pancrease.

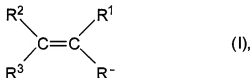
9. (Withdrawn) The polyester as claimed in claim 1, wherein the carboxylic acid (i), the carboxylic ester (i), and the hydroxyl-containing compound (ii) each contain a bond which can be activated with actinic radiation.

10. (Withdrawn) The polyester as claimed in claim 1, wherein the bond which can be activated with actinic radiation is at least one of a carbon-carbon double bond and a triple bond.

11. (Withdrawn) The polyester as claimed in claim 10, wherein the bond which can be activated with actinic radiation is a carbon-carbon double bond.

12. (Withdrawn) The polyester as claimed in claim 1, wherein the carboxylic acid (i) is a monocarboxylic acid and the hydroxyl-containing compound (ii) contains a primary hydroxyl group.

13. (Withdrawn) The polyester as claimed in claim 1, wherein the bond which can be activated with actinic radiation is present in groups of the general formula I:



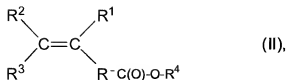
in which the variables are defined as follows:

R is a bonding electron pair between the olefinic carbon atom and the carbon atom of a carbonyloxy group and linking organic radical; and

R<sup>1</sup>, R<sup>2</sup> and R<sup>3</sup> are hydrogen atoms or organic radicals;

it being possible for at least two of the radicals R, R<sup>1</sup>, R<sup>2</sup>, and R<sup>3</sup> to be linked cyclically to one another.

14. (Withdrawn) The polyester as claimed in claim 13, wherein the carboxylic acids (i) or carboxylic esters (i) and the hydroxyl-containing compounds (ii) are selected from the group consisting of compounds of the general formula II:



in which the variables R, R<sup>1</sup>, R<sup>2</sup>, and R<sup>3</sup> are as defined above and the variable R<sup>4</sup>

1. in the case of the carboxylic acids (i) stands for a hydrogen atom and in the case of the carboxylic esters (i) for a hydroxyl-free, monovalent organic radical and

2. in the case of the hydroxyl-containing compounds (ii) stands for a hydroxyl-containing, monovalent organic radical.

15. (Withdrawn) The polyester as claimed in claim 14, wherein the monovalent organic radical R<sub>4</sub> comprises or consists of

1. in the case of the carboxylic esters (i) at least one radical selected from the group consisting of hydroxyl-free alkyl, cycloalkyl, and aryl radicals, and

2. in the case of the hydroxyl-containing compounds (ii) at least one radical selected from the group consisting of hydroxyl-containing alkyl, cycloalkyl, and aryl radicals.

16. (Withdrawn) The polyester as claimed in claim 14, wherein the carboxylic acid (i) is acrylic acid, the carboxylic ester (i) is methyl acrylate, and the hydroxyl-containing compound (ii) is 4-hydroxybutyl acrylate.

17. (Previously Presented) A process for preparing a polyester as claimed in claim 1 comprising at least one of a pendant and/or a terminal group which can be activated with actinic radiation, comprising reacting at least one of

1. a polyester (i) containing at least one of a pendant and/or terminal hydroxyl group reacted with at least one of a carboxylic acid (i) and one ester (i) of a carboxylic acid (i) each containing at least one bond which can be activated with actinic radiation, and

2. a polyester (ii) containing at least one of a pendant and/or terminal carboxylic acid group and a pendant and/or terminal carboxylic ester group reacted with at least one hydroxyl-

containing compound (ii) each containing at least one bond which can be activated with actinic radiation

in the presence of a catalyst, the catalyst being at least one of an enzyme which catalyzes the transesterification or esterification and organism(s) which catalyze(s) the transesterification or esterification.

18. (Original) The process as claimed in claim 17, wherein the water produced during the esterification of the polyesters (i) and (ii) or the resultant hydroxyl-containing compounds is or are removed from the reaction mixture as they are forming or immediately after they have formed.

19. (Withdrawn) A composition curable with actinic radiation or both thermally and with actinic radiation comprising a polyester as claimed in claim 1.

20. (Withdrawn) A composition selected from the group consisting of a coating material, adhesive and, sealing compounds for producing a coating, adhesive films, seals, moldings and self-supporting film comprising the composition of claim 19.

21. (New) The process of claim 17 wherein the enzyme is used in an amount of from 0.1 to 20% based on the total amount of the starting products.

22. (New) The process of claim 17 wherein the enzyme is selected from the group consisting of hydrolases [EC 3.x.x.x].

23. (New) The process of claim 22, wherein the hydrolases [EC 3.x.x.x], are selected from the group consisting of esterases [EC 3.1.x.x] and proteases [EC 3.4.x.x].

24. (New) The process of claim 23, wherein the hydrolases are carboxyl ester hydrolases [EC 3.1.1.x].

25. (New) The process of claim 24, wherein the hydrolases are lipases.

26. (New) The process of claim 25, wherein the lipases are obtained-from at least one of *Achromobacter* sp., *Aspergillus* sp., *Burkholderia* sp., *Candida* sp., *Mucor* sp., *Penicillium* sp., *Pseudomonas* sp., *Rhizopus* sp., *Thermomyces* sp. and porcine pancrease.